

SEP 16 2008

Application Serial No. 10/715,623  
2<sup>nd</sup> Resubmission of Amendment of January 11, 2008

PATENT  
Docket: CU-3456

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Kenichi Furukawa ) Group Art Unit: 2627  
SERIAL NO: 10/715,623 ) Examiner: Joseph R. Haley  
FILED: November 18, 2003 )  
TITLE: OPTICAL DISK APPARATUS, CONDITION MEASURING METHOD,  
AND CONDITION MEASURING POSITION SETTING METHOD

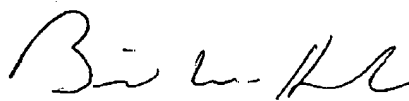
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The USPTO Central Fax No. (571) 273-8300

Date of Fax Transmittal: September 16, 2008

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Brian W. Hameder, Reg. No. 45613

**SECOND RESUBMISSION OF AMENDMENT**

Sir:

The undersigned attorney received a telephone call from Examiner Haley today, who indicated that a couple of pages from the previously filed amendment are missing. An amendment and RCE was originally filed on April 11, 2008. That amendment, having not been entered, was resubmitted on July 15, 2008.

A complete copy of the amendment and RCE is submitted herewith, along with the prior two fax transmission receipts. A total of 12 pages is being transmitted.

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2<sup>nd</sup> Resubmission of Amendment of January 11, 2008

PATENT  
Docket: CU-3456

This submission is also being transmitted directly to Examiner Haley at 571-273-0574.

It is respectfully requested that the amendment be entered.

Respectfully submitted,



September 16, 2008

Date

Attorney for Applicant  
Brian W. Hameder  
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224 South Michigan Avenue  
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(312) 427-1300  
Reg. No. 45613

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| 07/15/2008 09:34 FAX 312 427 6663  |                   | LADAS & PARRY LLP   |  | 0003/0007 |  |
| Application Serial No. 10/715,523  |                   | PATENT  |  |           |  |
| Resubmission of Amendment of January 11, 2008  |                   | Docket CU-3456  |  |           |  |
| <b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>  |                   |   |  |           |  |
| APPLICANT:   | Kenichi Furukawa  | Group Art Unit 2627   |  |           |  |
| SERIAL NO:   | 10/715,523        | Examiner: Joseph R. Haley   |  |           |  |
| FILED:   | November 18, 2003 |   |  |           |  |
| TITLE:   |                   | OPTICAL DISK APPARATUS, CONDITION MEASURING METHOD, AND CONDITION MEASURING POSITION SETTING METHOD |  |           |  |
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| <u>Certification under 37 C.F.R. §1.8(b)</u>   |                   |   |  |           |  |
| The USPTO Central Fax No. (571) 273-8300   |                   |   |  |           |  |
| Date of Fax Transmittal: July 15, 2008   |                   |   |  |           |  |
| I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted to the United States Patent and Trademark Office to the fax number and on the date indicated above.   |                   |   |  |           |  |
| <br>Brian W. Hamoder, Reg. No. 45613   |                   |   |  |           |  |
| <b>RESUBMISSION OF AMENDMENT</b>   |                   |   |  |           |  |
| Sir,   |                   |   |  |           |  |
| Upon receiving a telephone call from Examiner Haley today for a status check, Applicant's attorney learned that the previously submitted amendment and Request for Continued Examination (RCE) dated April 11, 2008 has not been entered by the Office. Another copy of that amendment and RCE, with a copy of the Auto-Reply Facsimile Transmission Receipt, evidencing receipt by the Office, is attached. It is respectfully requested that the amendment be entered. |                   |   |  |           |  |
| Respectfully submitted,  |                   |   |  |           |  |
|  |                   |   |  |           |  |
| Date: July 15, 2008  |                   |   |  |           |  |
| Attorney for Applicant<br>Brian W. Hamoder<br>c/o Ladas & Parry LLP<br>224 South Michigan Avenue<br>Chicago, Illinois 60604<br>(312) 427-1300<br>Reg. No. 45613  |                   |   |  |           |  |
| 1  |                   |   |  |           |  |
| PAGE 10 * RCVD AT 7/15/2008 10:23:35 AM [Eastern Daylight Time] * SVR:USPTO-EFAXF-10 * DNIS:2738300 * CSID:312 427 6663 * DURATION (mm-ss):02-24   |                   |   |  |           |  |

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|---|--|--|-----------------|
| 04/11/2008 16:08 FAX 312 427 6663   |  | LADAS & PARRY LLP  | 0001            |
| Application Serial No. 10/715,623   |  | PATENT   |                 |
| Reply to Office Action of January 11, 2008  |  | Docket: CU-3456  |                 |
| IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  |  |  |                 |
| APPLICANT:  | Kentchi Furukawa   | Group Art Unit:  | 2627            |
| SERIAL NO.:   | 10/715,623   | Examiner:  | Joseph R. Haley |
| FILED:  | November 18, 2003  | <u>EXPEDITED PROCEDURE</u><br><u>AMENDMENT AFTER FINAL</u> |                 |
| TITLE:  | OPTICAL DISK APPARATUS, CONDITION MEASURING METHOD,<br>AND CONDITION MEASURING POSITION SETTING METHOD |  |                 |
| Mail Stop AF<br>THE COMMISSIONER FOR PATENTS<br>P.O. Box 1450<br>Alexandria, VA 22313-1450  |  |  |                 |
| Certification under 37 C.F.R. §1.8(b)<br>The USPTO Central Fax No. (571) 273-8300<br>Date of Fax Transmission: April 11, 2008<br>I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted to the United States Patent and Trademark Office to the fax number and on the date indicated above.   |  |  |                 |
| <br>Julie L. Langdon, Reg. No. 58001  |  |  |                 |
| AMENDMENT   |  |  |                 |
| Sir:  |  |  |                 |
| This is in response to the Office Action dated January 11, 2008 and having a shortened statutory period for reply set to expire on April 11, 2008. Applicant submits the following responsive amendment in the above-identified application. Also submitted with this amendment is a Request for Continued Examination (RCE). Applicant believes this amendment places the application in better condition for allowance. |  |  |                 |
| Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.  |  |  |                 |
| Remarks/Arguments begin on page 5 of this paper.  |  |  |                 |
| 1   |  |  |                 |
| PAGE 15 * RCVD AT 4/11/2008 5:07:27 PM [Eastern Daylight Time] * SVR:USPTO-EFAX-5/28 * DNIS:2738300 * CSID:312 427 6663 * DURATION (mm-ss):02:12  |  |  |                 |

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